

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHNNIE W. MCMILLON,

Plaintiff,

v.

MATTHEW MULHERN, et al.,

Defendants.

DECISION & ORDER

04-CV-6346L

Currently pending before this Court is plaintiff's motion to compel the production of his medical records from the Erie County Holding Center. (Docket # 32). Following the filing of the motion, it became apparent that plaintiff sought not just his medical records from the Holding Center (which were produced within days of his motion), but also his records from the Erie County Medical Center. After plaintiff signed an authorization, counsel for defendants obtained the requested documents, and by letter dated March 13, 2006, produced them to plaintiff. Accordingly, plaintiff's motion to compel his medical records (**Docket # 32**) is **DENIED without prejudice as moot.**

IT IS SO ORDERED.

s/Marian W. Payson

MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
March 23, 2006.